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Paper No. 4

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OFFICE OF PETITIONS

In re Application of	:	
Alwan, et al.	:	
Application No. 10/045,661	:	ON PETITION
Filed: October 23, 2001	:	
Attorney Docket No. AIRFIBE.004CP1	:	

This is a decision on the papers styled, "Petition To Establish Prior Receipt In The P.T.O. Of Item(s) Considered As Omitted By The P.T.O." filed on May 7, 2002 (Certificate of Mailing Date: May 1, 2002), which is being treated as a petition under 37 CFR 1.53, requesting that the above-identified application be accorded a filing date of October 23, 2001, including Figure 5 as described in the specification.

The application was filed on October 23, 2001. However, on March 5, 2002, the Office of Initial Patent Examination (OIPE) mailed a "Notice To File Missing Parts Of Nonprovisional Application" that stated the application had been accorded a filing date, but Figure 5 as described in the specification appears to have been omitted.

In response, on May 7, 2002, the instant petition and a copy of Figure 5 as described in the specification were submitted. The papers were accompanied by a copy of applicant's postcard receipt that acknowledges receipt of twenty-six (26) sheets of drawings on October 23, 2001. The twenty-six (26) sheets of drawings contain Figures 1-29. A review of the application file indicates the presence of only twenty-five (25) sheets of drawings with the sheet containing Figure 5 missing. It is assumed that missing sheet of drawings containing Figure 5 was misplaced by the Office.

In view of the above, the petition is granted.

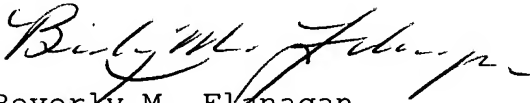
The \$130.00 petition fee submitted on May 7, 2002 will be refunded to deposit account no. 11-1410.

This application will be returned to OIPE for further processing with a filing date of October 23, 2001, using the copy of Figure 5 as described in the specification, supplied on May 7, 2002.

Telephone inquiries concerning this matter may be directed to Petitions Attorney Edward Tannouse at (703) 306-9200.



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